

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY
SPECIAL MEETING AND PUBLIC HEARING MINUTES
CITY OF ISSAQUAH GREENWOOD POINT/SOUTH COVE ANNEXATION (FILE NO. 2192)
JUNE 07, 2005

The following Minutes are a summary of the Special Meeting/Public Hearing for the City of Issaquah Greenwood Point/South Cove Area Annexation (File No. 2192). Complete written transcripts are available from the Boundary Review Board.

I. CALL TO ORDER

Judy Tessandore, Chair, convened the meeting of June 07, 2005 at 7:05 P.M.

II. ROLL CALL

The following members were present at the Special Meeting and Public Hearing:

Evangeline Anderson	Angela Brooks
Charles Booth	Robert Cook
A.J. Culver	Claudia Hirschey
Roger Loschen	Michael Marchand

III. PUBLIC HEARING

INTRODUCTION:

Chair Tessandore stated that the purpose of the Special Meeting is to conduct a Public Hearing on the Greenwood Point/South Cove Area Annexation, a proposal submitted by the City of Issaquah to the Boundary Review Board in March 2005. The Boundary Review Board is charged with the task of providing independent review and decision-making with respect to applications for municipal annexation.

Chair Tessandore described the standards for a quasi-judicial public hearing and the scope of the hearing. She explained the process for taking public testimony. Chair Tessandore opened the public hearing.

Chair Tessandore and Lenora Blauman described the proposed annexation as follows:

On March 22, 2005 the proponent, the City of Issaquah, filed a Notice of Intention with the Boundary Review Board for the Greenwood Point/South Cove Area Annexation (403 acres). The Greenwood Point/South Cove Area Annexation includes the communities of Greenwood Point and South Cove, together with several neighboring suburban residential communities: Meerwood, Lake West, Timberlake Lane, Lewis Creek, Meadowbrook Point, Sammamish Beach Club, Sammamish Bluffs, Sammamish View, Waterford Terrace, Weatherwood, and Lakemont Triangle.

The Greenwood Point/South Cove Annexation Area is located on the northwestern edge of the City of Issaquah. The Annexation Area is generally bordered on the west by I-90 and the City of Bellevue. The Annexation Area is bordered on the south by the City of Issaquah. Lake Sammamish borders the northern and eastern perimeters of the Annexation Area.

The Greenwood Point/South Cove Area is primarily developed with residential uses – including single-family and multi-family dwellings. There is vacant and redevelopable land within the Greenwood Point/South Cove Area. There is some limited commercial property within Greenwood Point/South Cove Area boundaries.

The Greenwood Point/South Cove Area Annexation is proposed based upon a Resolution by the Issaquah City Council approving a plan to incorporate this territory via an Interlocal Agreement with King County. This Resolution was approved in February of 2005.

With the annexation application based upon the Resolution, the City of Issaquah has invoked jurisdiction (submitted a request for a public hearing) before the Boundary Review Board. The City is seeking a public hearing in order to provide an opportunity for Greenwood Point/South Cove Area citizens to comment upon the proposed annexation.

Further, the City of Issaquah Resolution calls for an election to permit the citizens of the Greenwood Point/South Cove Area to ultimately decide whether or not to join the City of Issaquah.

Based upon the City of Issaquah's invoking of jurisdiction, the Boundary Review Board scheduled this public hearing to review the proposed basic Greenwood Point/South Cove Area Annexation.

Following the conclusion of the public hearing, the Boundary Review Board will deliberate and make a decision with respect to the Greenwood Point/South Cove Area Annexation. The Board will consider the state, regional, and local regulations which guide annexations. The Board can approve the Greenwood Point/South Cove Area Annexation as proposed by the City of Issaquah. The Board can modify the Greenwood Point/South Cove Area Annexation. The Board can deny the entire Greenwood Point/South Cove Area Annexation.

PROPONENT PRESENTATION: CITY OF ISSAQUAH: MAYOR AVA FRISINGER

At the Special Meeting/Public Hearing of June 07, 2005, Mayor Ava Frisinger presented the proposed Greenwood Point/South Cove Annexation. Following is a summary of the statement (including responses to inquiries).

Mayor Frisinger reported that the City of Issaquah proposes the annexation of 403 acres, known as the Greenwood Point/South Cove Area Annexation. This annexation was proposed under a Resolution based upon an Interlocal Agreement, pursuant to RCW 35A.14. The Issaquah City Council adopted the Resolution for annexation in February 2005.

The City is proposing the Greenwood Point/South Cove Area Annexation in order to permit citizens to participate in local governance by the City of Issaquah, to develop properties under City of Issaquah regulations and to receive public services (e.g., sewer services) from Issaquah. Presently the Greenwood Point/South Cove Area is substantially developed with residential uses, including single-family homes and multi-family dwellings. Approximately 3200 people reside in the Greenwood Point/South Cove Area.

Lake Sammamish State Park, the Lewis Creek Natural Area, and other public uses are also located within the boundaries of the proposed Greenwood Point/South Cove Area Annexation.

Mayor Frisinger reported that the Greenwood Point/South Cove Area Annexation is proposed under a framework established in an Interlocal Agreement between the City of Issaquah and King County. The Interlocal Agreement – slated for formal adoption in July 2005 – addresses both the Klahanie Area Annexation and the Greenwood Point/South Cove Area Annexation.

The Interlocal Agreement establishes a commitment by the County to provide the City of Issaquah funding in the amount of \$850,000 for facilitation of transition of service responsibilities from King County to the City of Issaquah and \$1.1 million for roadway improvements (i.e., Issaquah-Fall City Road).

In return, the City of Issaquah is required to make a commitment to complete annexation of the Greenwood Point/South Cove Area by no later than December 31, 2006. Further, in conjunction with the Interlocal Agreement, the City must also accomplish the Klahanie Area Annexation (by June, 2006).

Mayor Frisinger reported that an extensive Annexation Study has been conducted for the Greenwood Point/South Cove Area. The Study particularly emphasized fiscal analyses (including an examination of benefits and costs) for governance and service of the Greenwood Point/South Cove Area in a manner equivalent to the existing City of Issaquah.

The City has a demonstrated commitment to the provision of regional and local improvements to the Greenwood Point/South Cove Area. Greenwood Point/South Cove Area residents would be provided services, infrastructure, and facilities at a basic level immediately upon incorporation. Improvements to levels of service would then occur over time as required to meet the needs of the community and as permitted by available resources. For example:

- Basic police services would be provided with the existing police staff. If service data indicates the need for additional officers or support staff, then the City would address those requirements with appropriate upgrades to service levels.
- Roadway improvements will be based upon requirements for safe, efficient travel. To wit: Issaquah plans for improvements to Issaquah-Fall City Road with funding from a variety of sources (e.g., King County Initiative funds, City funds, State of Washington funds, and funds from the Federal Government). Issaquah representatives recognize that – in order to maintain appropriate funding – City officials must meet due dates for design, engineering, and construction of improvements.

Thus, Annexation Study findings provide reasonable assurance that existing and anticipated municipal funds, together with King County Initiative funds, will provide sufficient resources to assure service to the Greenwood Point/South Cove in a manner that will address impacts on cost and adequacy of services, finances, debt structure, and rights of other governmental units.

Mayor Frisinger reported that the City of Issaquah has also determined that the Greenwood Point/South Cove Area Annexation would be an appropriate, timely action based upon the following factors:

- The Greenwood Point/South Cove Area is addressed in the City of Issaquah Comprehensive Plan. The Plan was established in 1995. In February 2004, pursuant to the Comprehensive Plan ("Land Use Element"), the Greenwood Point/South Cove Area was identified, mapped, and analyzed for incorporation to the City of Issaquah.
- The proposed Greenwood Point/South Cove Area Annexation would be consistent with the City of Issaquah Land Use Policies, including those provisions relating to land development, service provision, and mutual social and economic benefits. Annexation would permit the City of Issaquah to establish land use designations and zoning standards for the Greenwood Point/South Cove Area.
- The proposed Greenwood Point/South Cove Area Annexation would be consistent with the interests of the citizens of the area. Substantial citizen interest in annexation to the City of Issaquah has been documented through information meetings, studies, and surveys of community members.
- King County Comprehensive Plan/Countywide Planning Policies support the Greenwood Point/South Cove Area Annexation. For example, King County has designated this area for urban development due to its location within the Urban Growth Area boundary. Countywide Planning policies encourage cities to designate potential annexation areas within the Urban Growth Area. Other Countywide policies establish cities as the appropriate units to govern, develop, and serve Urban Areas. The County has also indicated a preference for immediate annexation of urban areas to provide for local governance and services.
- The State Growth Management Act (RCW 36.70A) supports the Greenwood Point/South Cove Area Annexation. For example, in keeping with Growth Management Act policies, upon annexation of the Greenwood Point/South Cove Area, the City is prepared to provide plans and standards for governance of and service to the built community, as well as plans and standards for protection of environmentally sensitive areas.

- RCW 36.93 (Boundary Review Board Regulations) supports the proposed Greenwood Point/South Cove Area Annexation to the City of Issaquah.

For example, this action would be consistent with Objective 1, which calls for the preservation of neighborhoods. The Greenwood Point/South Cove Area Annexation will preserve an existing, well-defined neighborhood. This Area is linked to Issaquah by social fabric (e.g., similar land uses and open spaces, shared sense of community) and by natural/built geographic features (e.g., plateau terrain).

In keeping with Objective 2, the proposed Greenwood Point/South Cove Area Annexation shares physical boundaries with the City of Issaquah. The Greenwood Point/South Cove Area is located on the northwestern edge of the City of Issaquah. The Annexation Area is generally bordered on the west by I-90 and the City of Bellevue. The Annexation Area is bordered on the south by the City of Issaquah. Lake Sammamish borders the northern and eastern perimeters of the Annexation Area.

The Greenwood Point/South Cove Annexation would also reportedly be consistent with Objective 3, which calls for creation of logical service areas. Service to the Greenwood Point/South Cove Area would be improved by placing the entire area under a single municipal jurisdiction for provision of police protection, fire protection, emergency aid, sewer, water, storm water management, roads, and other public facilities. Coordinated services should benefit the citizens of the Greenwood Point/South Cove Area.

Similarly, the Greenwood Point/South Cove Area Annexation would be consistent with Objective 4 which calls for the prevention of abnormally irregular boundaries. The proposed boundaries of the Greenwood Point/South Cove Area are consistent with the Issaquah Potential Annexation Area. Similarly, the Greenwood Point/South Cove boundaries coincide with the established Urban Growth Area boundary and with the duly approved incorporated boundaries of the City of Bellevue.

The proposed Greenwood Point/South Cove Area Annexation reportedly achieves Objective 7, which calls for the achievement of practical boundaries for a jurisdiction. The existing Greenwood Point/South Cove Area is an “island” of unincorporated land. The Greenwood Point/South Cove Area Annexation would create more reasonable and practical boundaries for governance and service.

Mayor Frisinger reported that, with annexation to Issaquah, all services and land use regulations for the Greenwood Point/South Cove Area may be efficiently coordinated under unified regulatory authorities administered by a single local government unit. Upon annexation, the City of Issaquah will include the Greenwood Point/South Cove properties in its Service Area. The City has planned and can provide urban services to the Area either directly or via agreements between the City and service providers. Services – including police service and road services – are expected to improve in the area following annexation. For example:

- Bellevue Utilities District would continue to provide water and sewer services to the area.
- Eastside Fire and Rescue District will provide fire/emergency services to the Greenwood Point/South Cove.
- The Issaquah Police Department would serve the Greenwood Point/South Cove.
- Students would be served by the Issaquah School District.
- The King County Library and local/regional recreation facilities would be available to residents.

The Greenwood Point/South Cove Area Annexation would also reportedly be consistent with Objective 8, which calls for inclusion of urban areas within municipalities. Annexation would permit citizens to affiliate with a local government and thus to participate in the local government process.

OPPONENT PRESENTATION (JURISDICTION):

No jurisdiction came forward to oppose the Greenwood Point/South Cove Annexation.

PRESENTATIONS BY GOVERNMENT JURISDICTIONS:

KING COUNTY: MICHAEL THOMAS, KING COUNTY EXECUTIVE – OFFICE OF MANAGEMENT AND BUDGET

Michael Thomas, representing the King County Executive Office of Management and Budget, stated that King County officials support the City of Issaquah's proposal to annex the Greenwood Point/South Cove Area. The County supports the City of Issaquah's commitment to annex the Greenwood Point/South Cove Area based upon the following facts:

- The State Growth Management Act (RCW 36.70A) calls for local jurisdictions to govern urban lands. The Act supports timely incorporation of urban lands to local jurisdictions.
- The King County Comprehensive Plan/Countywide Planning Policies and the City of Issaquah's Comprehensive Plan support annexation of Greenwood Point/South Cove.
- The City of Issaquah has agreed to enter into an Interlocal Agreement with King County to govern, serve, and provide financial support as appropriate for the Greenwood Point/South Cove Area.

The City of Issaquah provides an established record as an entity capable of providing for zoning, development standards, and environmental protection appropriate to the Greenwood Point/South Cove Area.

- The County has limited ability to provide efficient local services in urban unincorporated areas – those areas which are “islands” and which have irregular boundaries are particularly difficult for providers to serve efficiently and economically.
- RCW 36.93 (Boundary Review Board) criteria support annexation of the Greenwood Point/South Cove Area to Issaquah.

Thus, King County requests that the Boundary Review Board consider the request by the City of Issaquah to approve the Greenwood Point/South Cove Annexation.

GENERAL TESTIMONY:

Fifteen persons testified directly and four persons submitted letters for the record – as individuals or as representatives of community groups – with respect to the proposed Greenwood Point/South Cove Area Annexation. All persons testified as to their support for annexation to Issaquah.

Testimony focused upon a community planning process begun in 2002 undertaken to establish the community's interest in a future governance system. Testimony reported that – through a variety of programs (e.g., data collection, information exchange, public meetings, community surveys) – citizens determined a preference for annexation to Issaquah.

Several persons testified as to the reasons for their preference to annex to Issaquah, including, but not limited to: a sense of community affiliation with Issaquah; geographic proximity to Issaquah; and demonstrated capacity of the City of Issaquah to provide public services and facilities to Greenwood Point/South Cove.

REBUTTAL: Mayor Ava Frisinger;
David Draveling, Chief of Police;
Brett Heath, Director of Public Works Operations

Mayor Frisinger, responding to inquiries from the Boundary Review Board, reported on the following matters:

- *Timing of the Annexation:* The Greenwood Point/South Cove Annexation has been scheduled to take place by December 31, 2006, based upon the City of Issaquah's Interlocal Agreement with King County. Under that Agreement, annexation of the Klahanie Area must occur by June 2006. While there is no requirement to hold the Greenwood

Point/South Cove Area Annexation until December 2006, that incorporation schedule reflects the intention of the City of Issaquah to ensure that all plans and resources are established as necessary to ensure appropriate governance and service to the Greenwood Point/South Cove Area.

- *Lake Sammamish State Park:* Portions of Lake Sammamish State Park are owned by the State of Washington; other portions of the Park are governed by local jurisdictions. The City of Issaquah proposes no further changes to jurisdiction of the Park. The City will be preparing a Shorelines Master Plan/Program to address the locally governed portions of the Park – the State of Washington will require that document to be completed by 2009.
- *Addressing System:* The City of Issaquah intends to retain the current addressing system for the Greenwood Point/South Cove Area

Mayor Frisinger and David Draveling (Chief of Police), responding to inquiries from the Boundary Review Board, reported on current policing services provided by the King County Sheriff and proposed plans for services by the Issaquah Police Department.

The City of Issaquah and King County utilize different benchmarks for police services so that a direct comparison of services (e.g., response times) is difficult to achieve. It is known that the Issaquah police force responds to emergency calls within 3-4 minutes. There is a 7-10 minute response time for non-priority calls. The City finds that, as the Issaquah police facilities are closer to Greenwood Point/South Cove than are the County policing facilities and as the Issaquah force has a greater number of officers located in the immediate area, the Issaquah Police Force would provide more efficient policing services to the community than could be provided by the Sheriff.

Mayor Frisinger and Brett Heath (Director of Public Works Operations), responding to inquiries from the Boundary Review Board, reported on public works services and infrastructure provided by King County and proposed plans for services by the Issaquah Public Works Department.

City officials report that City Plans and the Annexation Study identify a variety of necessary services and infrastructure improvements will be necessary for the Greenwood Point/South Cove Area. The Annexation Study finds that sufficient resources are available to govern and serve Greenwood Point/South Cove Area based upon various local revenue sources (including revenue from the Greenwood Point/South Cove Area), funds from King County and funds from the State of Washington.

The City has a demonstrated commitment to the provision of regional and local improvements. Similarly the citizens have expressed their commitment to – and confidence in – the City by providing funds for services and infrastructure by such actions as the approval of a \$3.5 million bond for roadways. The State of Washington has expressed similar confidence by allocating \$1.5 million to Issaquah for roadway construction/maintenance.

Issaquah representatives noted that, further, upon annexation, property owners will assume their share of the regular and special levy rate of the City for capital facilities and public services. With that assumption, nonetheless, it is estimated that taxpayers would benefit from a reduction of property tax levy rate.

City representatives stated that the jurisdiction believes that the Annexation Study supports the Greenwood Point/South Cove Area Annexation. The City wishes to annex the Greenwood Point/South Cove Area so that Issaquah may govern and serve the citizens.

Mayor Frisinger concluded that, in accord with the will of the citizens of Greenwood Point/South Cove, the City proposes annexation of the Greenwood Point/South Cove Area based upon a Resolution (Interlocal Agreement with King County) developed pursuant to RCW 35A.14.

In the event that the Boundary Review Board approves the proposed Greenwood Point/South Cove Area Annexation, the City will provide for citizens of the Greenwood Point/South Cove Area to formally voice their views concerning annexation through an election. Citizens may choose to join the City of Issaquah or to remain under the jurisdiction of King County.

IV. DETERMINATION OF THE STATUS OF THE PUBLIC HEARING

At the completion of public testimony at the June 07, 2005 Special Meeting/Public Hearing for the Greenwood Point/South Cove Area Annexation, Chair Tessandore instructed the Board with respect to procedures for closure (or continuation) of the public hearing. She reported that the Board could choose to continue the hearing to obtain more information, to close the public hearing while holding open the record for additional information, or to close the hearing and deliberate for a decision on the proposed action.

A. J. Culver moved and Michael Marchand seconded a motion that the Boundary Review Board close the public hearing in the matter of the proposed annexation of the Greenwood Point/South Cove Area (403 acres) into the City of Issaquah. The Board voted unanimously in favor of the motion.

Chair Tessandore invited the Board members to begin deliberations to consider annexation of the proposed Greenwood Point/South Cove Annexation.

Evangeline Anderson moved and Angela Brooks seconded a motion that the Boundary Review Board begin deliberations to consider the annexation into the City of Issaquah of the Greenwood Point/South Cove Area (403 acres). The Board voted unanimously in favor of the motion.

Chair Tessandore invited the Board members to enter into deliberations. Board members offered the following comments:

- City of Issaquah representatives have provided to the Board both written documentation and testimony sufficient for the Board to determine whether the City of Issaquah proposal for the Greenwood Point/South Cove Area is consistent with the authorities and criteria established in RCW 36.93, et al.
- King County representatives have also provided to the Board both written and oral testimony describing support for the Greenwood Point/South Cove Area Annexation based upon the King County Comprehensive Plan/Countywide Planning Policies.
- Citizen testimony has substantially supported the proposed Greenwood Point/South Cove Area Annexation into the City of Issaquah.

In the course of discussion concerning the options for annexation of the Greenwood Point/South Cove into the City of Issaquah, the Board members concurred that: annexation of the Greenwood Point/South Cove Area would be consistent with the statutory authority of the Boundary Review Board (RCW 36.93 – the Board’s Enabling Act.)

More specifically, the Board finds the Greenwood Point/South Cove Area Annexation to be consistent with RCW 36.93.170, including (1) Population and Territory; (2) Municipal Services; and (3) Mutual Social and Economic Factors.

Additionally, the Board finds the Greenwood Point/South Cove Area Annexation to be consistent with RCW 36.93.180 (Objectives) are addressed as follows:

RCW 36.93.180	GREENWOOD POINT/SOUTH COVE (403 ACRES)
OBJECTIVE 1 – PRESERVATION NATURAL NEIGHBORHOODS AND COMMUNITIES	ADVANCES CRITERION AS ANNEXATION INCLUDES ALL PROPERTIES IN A NATURAL COMMUNITY
OBJECTIVE 2 – USE OF PHYSICAL BOUNDARIES (E.G., BODIES OF WATER, HIGHWAYS, AND LAND CONTOURS	ADVANCES CRITERION AS IT COINCIDES WITH ESTABLISHED COMPREHENSIVE PLAN BOUNDARIES
OBJECTIVE 3 – CREATION AND PRESERVATION OF LOGICAL SERVICE AREAS	ADVANCES CRITERION AS ISSAQUAH CAN SERVE ENTIRE AREA TO PROTECT PUBLIC WELFARE.
OBJECTIVE 4 – PREVENTION OF ABNORMALLY IRREGULAR BOUNDARIES	ADVANCES CRITERION AS REGULAR BOUNDARIES SUPPORT A UNIFIED COMMUNITY AND STREAMLINE SERVICE PROVISION
OBJECTIVE 5 – DISCOURAGEMENT OF MULTIPLE INCORPORATIONS	DOES NOT APPLY
OBJECTIVE 6 – DISSOLUTION OF INACTIVE SPECIAL PURPOSE DISTRICTS	DOES NOT APPLY
OBJECTIVE 7 – ADJUSTMENT OF IMPRACTICAL BOUNDARIES	ADVANCES CRITERION AS PRACTICAL BOUNDARIES ARE CREATED TO SUPPORT A UNIFIED COMMUNITY AND STREAMLINE SERVICE PROVISION
OBJECTIVE 8 – INCORPORATION AS CITIES OR ANNEXATION OF CITIES OF UNINCORPORATED AREAS WHICH ARE URBAN IN CHARACTER	ADVANCES CRITERION AS THE ENTIRE DESIGNATED URBAN AREA WILL BE INCORPORATED INTO A LOCAL JURISDICTION.
OBJECTIVE 9 – PROTECTION OF AGRICULTURAL AND RURAL LANDS	DOES NOT APPLY

The Board is also required to consider RCW 36.70A (State Growth Management Act); the King County Comprehensive Plan; and statutes of the local jurisdiction – in this case the City of Issaquah. Under State Growth Management Act guidelines, King County has designated the entire Greenwood Point/South Cove community as an Urban Growth Area. The City of Issaquah has confirmed this urban designation for the Greenwood Point/South Cove Area in its Comprehensive Plan. Issaquah officials have stated that the City is willing to undertake annexation in order to govern and serve the Greenwood Point/South Cove Area.

At the close of discussion, Chair Tessandore called for a motion for a decision with respect to the Greenwood Point/South Cove Area Annexation (403 acres).

Roger Loschen moved and Charles Booth seconded a motion that the Boundary Review Board direct staff to prepare Resolution and Hearing Decision approving the annexation to the City of Issaquah of the Greenwood Point/South Cove Area (403 acres). The Resolution and Hearing Decision shall be presented to the Boundary Review Board for final action in July, 2005.

The motion was adopted by a unanimous vote.

VI. ADJOURNMENT

Evangeline Anderson moved and A. J. Culver seconded a motion to adjourn the Special Meeting/Public Hearing of June 07, 2005. The motion passed by unanimous vote. Chair Tessandore adjourned the meeting at 9:05 PM.